

Original Mailing

PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on 11/20/2001
Date

Allen W. Topping

Signature

ALLEN W. TOPPING

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Amendment A Re App. 09/207/339

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED
JAN 29 2003
Technology Center 2600

11/20/2001 (800)275 8777 02:58:39 PM

941179941

800)275 8777

02:58:39 PM

Still Kidding

Price

[illegible]

WASHINGTON DC 20531

First Class

Return Receipt

100-11180

1

Issue PY13

\$4.95

Total

1

Paid by:

Cash	7.96
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Charge Due:

b11# 1006500654560
 Clat# 03

Refunds only per DMA PD14
Thank you for your business
Customer Copy

<p>SENDER: COMPLETE THIS SECTION</p> <p>1. Article Addressed to: <i>Commissioner of Patents TRADEMARKS Washington, DC 20231</i></p> <p>2. Article N° <i>2002-2340</i> 00001 2388 0078 (Transfer)</p> <p>3. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>4. Print your name and address on the reverse so that we can return the card to you.</p> <p>5. Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>COMPLETE THIS SECTION / ON DELIVERY</p> <p>A. Signature <i>X</i></p> <p>B. Received by (Print Name) _____</p> <p>C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: _____</p> <p>Service Type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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Inclosure -

Transmitted form

Re AP 09/207/339

Response to Action

Re: 09/207/339

Automated ID through Analysis
of Optical Birefringence
with Nal BedS
Topping, et al.



U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$ 00.45	0039 08
Certified Fee	\$ 02.10	
Return Receipt Fee (Endorsement Required)	\$ 01.50	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$ 00.00	
Total Postage & Fees	\$ 04.05	

09/24/2001

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+ 4

PS Form 3800, January 2001

See Reverse for Instructions

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

☐ Agent
☐ Addressee

D. Is the address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

2 hrs.

RECEIVED
 OCT 05 2001

E. Service Type

☐ Certified Mail
☐ Registered Mail
☐ Insured Mail

☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

102595-00-M-0952

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SPATIAL FORM OF PATENTS
 US PTO
 Washington, DC
 20231

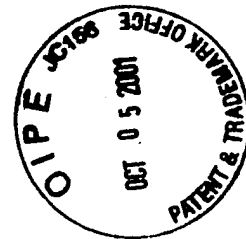
2. Article Number (Copy from service label)

7001 1940 0001 2397 1489

PS Form 3811, July 1999

Domestic Return Receipt

RECEIVED
 JAN 29 2003
 Technology Center 2600



Transmitted from PTO 8821
 Receipt for delivery of this PTO 8822
 Check # 1511
 Re: 09/207,339
 Topping, et al

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only: No Insurance Coverage Provided)

20231

Postage	\$ \$0.34
Certified Fee	\$ \$2.10
Return Receipt Fee (Endorsement Required)	\$ \$1.50
Restricted Delivery Fee (Endorsement Required)	\$ \$0.00
Total Postage & Fees	\$ \$3.94

2726 9494 2200 0250 0002



RECEIVED

JAN 29 2003

Technology Center 2600

Recipient's Name (Please Print Clearly) (To be completed by mailer)

Street, Apt. No. or PO Box No.

City, State, ZIP+

PS Form 3800, February 2000

US Dept of Commerce

20231

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mail piece or on the front if space permits.

1. Article Addressed to:

US Patent Office
 Dept. of Commerce
 Washington DC.

RECEIVED
 AUG 18 2001
 PTO MAIL CENTER

2. Article Number (Copy from service label)

7000-0520-0022-4646-921

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Transmittal Form PTO 8821

Request for
 Extension of time PTO 5622

Pers. Check #3824
 to PTO funds

Re: 09/207,339

Topping et al

Direct to Examiner Bali

703-305-4510





UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd @ TUBAC 31 OCT '02

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No. 7

MAIL

OCT 11 2002

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

DECISION ON PETITION

In re Application of:
Allen Topping, et al.
Application No.: 09/207,339
Filed: December 8, 1998
For: AUTOMATED IDENTIFICATION
THROUGH ANALYSIS OF OPTICAL
BIREFRINGENCE WITHIN NAIL BEDS

This is a response to the paper filed July 31, 2002. The paper is being treated as a petition to withdraw holding of abandonment.

This application is in an abandoned status for failure to respond to the Office action mailed May 23, 2001. A Notice of Abandonment has not been mailed.

Subsequent to the mailing of the Office action, applicant filed a petition for one month extension which was received by the Patent and Trademark Office on August 13, 2001. On October 5, 2001, applicant filed a petition for two additional months extension. The two petitions resulted in a total of three months extension which established a statutory due date of November 23, 2001 for the applicant to respond to the Office action of May 23, 2001. A request for change of correspondence address was filed February 25, 2002. ✓

The petition includes evidence by way of a copy of three post card receipts showing receipt by the Office of the two requests for extension of time and "Response to Action". The post card receipt showing receipt of the response has a receipt date of February 4, 2002 stamped thereon. The petition also includes an unsigned copy of the response. The February 4, 2002 date shown on the copy of the post card acknowledging receipt of the response is after the six month statutory due date of November 23, 2001. However, the copy of the response has a "Notice of Mailing" thereon (also unsigned) showing a mailing date of November 20, 2001. This date is prior to the expiration of the extended period for response. The Notice of Mailing is being treated under the guidelines of 37 CFR 1.8(a).

The petition is **DISMISSED**.

The Notice of Mailing (Certificate of Mailing) on the copy of the amendment is not signed. 37 CFR 1.8(a)(1)(ii) requires signature on the Certificate of Mailing. Additionally, the amendment must be signed. It is further noted that all papers filed by applicant subsequent to the Office action have been signed by only one inventor. This application file is being prosecuted by the inventors themselves (pro se) without attorney/agent or assignee. When prosecuting a case pro se, any response by applicant must be signed by **all** inventors unless power of attorney is granted to a single signer.

In order to have the abandonment withdrawn, applicant, in response to this decision **MUST** include (1) a signed copy of the amendment; and (2) a signed certificate of mailing (the certificate of mailing must be signed by the person who performed the original mailing--all inventors need not sign the certificate). The two requests for extension of time, the change of address as well as the copy of the amendment **MUST** be resubmitted with the signatures of all inventors in order for them to be effective.

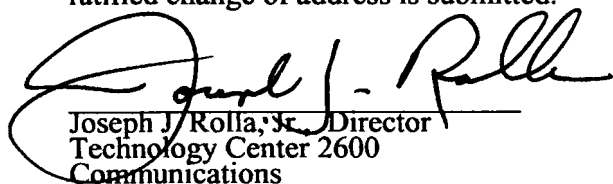
Sign
ATTN: X2 T.O.P.
Address

In re Application No. 09/207,339
Decision on Petition

Page 2

Applicant is given **TWO MONTHS** from the date of this decision to file the copy of the amendment, properly signed by all inventors as outline above including the signed Certificate of Mailing. Applicant should also consider submitting the other papers properly signed at the same time.

The request for change of address is not effective until such a time as it is properly ratified by all inventors. A courtesy copy of this decision is being sent the address listed in the request for change of address. However, all future correspondence will be directed to the above address until a properly ratified change of address is submitted.



Joseph J. Rolla, Jr. Director
Technology Center 2600
Communications

cc: Allen Topping
P.O. Box 1566
Tubac, AZ 85646